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Grafton Historic District Commission

MINUTES
SPECIAL MEETING
October 27, 2021
7:00 pm
(Remote Meeting)

Member Attendees: Pan Du, Betsy Gilgun, Bill Nicholson, Paul Scarlett, Brad Schlapak and John Stephens

Non-Member Attendee: Andy Deschenes

- **Call to Order**
 - Mr. Nicholson called the meeting to order at 7:19 PM following some technical issues that delayed the start of the meeting.
- **Minutes**
 - Minutes from the prior regular meeting held on 10/21/21 were provided for Commission review. Ms. Gilgun made a motion to accept the minutes subject to a correction on page 2 within the 3rd to last paragraph to adjust the word "provide" to read "provided", Mr. Schlapak seconded, there was no further discussion and the motion passed unanimously.
- **Old Business**
 - **Common Improvements Project – Change Order Discussions**
 - Mr. Nicholson read an email (attached) sent by John Morgan who was not able to attend tonight's meeting. In his email, Mr. Morgan reiterated his position from the prior HDC meeting that he is not in favor of moving forward with the bandstand improvements without having comparative bids available. He also opined that the design was in his opinion "rushed" and would like to revisit it.
 - Mr. Scarlett clarified why comparative bids are not an option under the existing project and would require starting over from scratch. He further shared that confirmation of the reasonableness of the price quoted by the JAM (existing project contractor) was obtained through a reputable contractor the town has worked with before. He also shared his thoughts on why it would not be prudent to forego the opportunity to complete this work under the existing project (attached).
 - Mr. Du asked Mr. Deschenes if it would be feasible for the contractor to provide a breakdown of the cost of labor vs. materials associated with the bandstand. Ms. Gilgun added that she too would like to see this

information to get more comfortable with the overall cost. Mr. Deschenes confirmed he would secure this information for our review.

- Mr. Deschenes advised he is still working with JAM Corp to finalize their pricing for the installation of the backflow preventer. He anticipates it will be in the \$10K - \$12K range.
- Another special meeting will be needed to review the additional breakdown of expenses for the bandstand work and to review the pricing on the backflow preventer. Commission members present agreed to schedule another special meeting for 11/3/21 to cover both these items and render a decision on both potential change orders.
- Regarding the recent accident that took out the new archway at the East entrance: in addition to knocking down the archway, the lantern was significantly damaged and the two granite posts were destroyed. The new trash bin will also need to be replaced and some brick will need to be replaced due to an oil spill and some surface scratching. The accident did not involve a DUI, rather the driver fell asleep at the wheel. He is insured and the Town Administrator will be filling a claim. Mr. Deschenes will need to work with JAM Corp. to get the pricing for making all necessary repairs. We can anticipate this work will not be completed until the spring or summer of next year.
- Mr. Scarlett advised he would inquire with the Town Administrator as to whether there is any settlement money available from the accident this past spring that did involve a DUI. This incident resulted in the destruction of two sections of fence just south of the East entrance and destroyed a healthy, mature cherry tree.

- **Executive Session**

- None held

- **Adjournment**

- Mr. Stephens motioned to adjourn at 8:28 PM, Mr. Schlapak seconded and the motion passed unanimously.

On Oct 26, 2021, at 3:04 PM, William Nicholson <billnich2@verizon.net> wrote:

Hi John

I received your email regarding the bandstand. I will read it to the others at the meeting in case they don't read it beforehand. I understand your concerns .

Bill Nicholson

508-735-4412

On Oct 26, 2021, at 11:33 AM, John Morgan <jjemorgan@charter.net> wrote:

Bill,

A schedule conflict has arisen and I won't be able to make the Zoom Meeting on Wednesday to discuss the bandstand change order.

Since I can't attend, I did want to express my thoughts and hope you and the other members of the commission will take them into account as you make a decision on whether to bring the change order to the BOS.

To begin, I appreciate the arguments for moving forward i.e. schedule for substantial completion, funding availability, safety issue of current condition, project management resources etc. That said, as a town commission we have the responsibility of fully vetting a significant change order. The commission needs a complete breakdown of the costs and should have at least a couple of comparative break downs so we can go to the BOS with a credible defense of the cost. I don't feel relying a conversation with a contractor that did similar work is sufficient back up to justify bring a \$116K change order to the BOS for approval. At this point I am uncomfortable and cannot agree to spending that amount of money without detailed back up information to support the request.

I know it's not the preferred course of action, but I feel we have the opportunity to revisit the bandstand restoration. Although I voted for the design, I was never satisfied that we explored all options to make the bandstand accessible. The whole process was rushed in order to meet a schedule that as it turned out kept on pushing out further and further. The bandstand is the center piece of the common and a town symbol so from my perspective we should ensure that this significant alteration is done right as it's impact to the common will be felt for many years to come.

I have copied the other members to implore everyone to step back and consider whether the current design, it's cost, and impact to the common is in the best interest of the common, the Historic District, and the town.

I apologize for not being able to make the meeting. Feel free to contact me with any questions.

John

John Morgan

Sent from my iPad

Bandstand Change Order Discussion Points Submitted by Paul Scarlett

- My perspective of the review process for the bandstand change order differs from Mr. Morgan's. While we worked promptly knowing the project would soon be underway, we actually spent ~4 months working with DSA on this design. We met with Neil Dixon on multiple occasions to provide guidance on what we were looking to accomplish and, subsequently, to review the plans and provide further input. The design chosen, which we all voted unanimously for, provides accessibility without significantly impacting the historic look and feel of the bandstand.
- We have obtained input from Mike and Mark Lapomardo, principals of Antonelli Construction in Shrewsbury, that the quote provided by JAM is within a reasonable range for what could be expected if competitively bid. They have further advised that a similar project they did in Shrewsbury back in 2016 was \$100K further reinforcing this assertion.
- I understand the sticker shock, but public projects require prevailing wage to be paid, which makes them significantly more expensive than those done in the private sector. The cost is what it is, we can't make it less by wishing it was. The best we can do is verify that it is within the range of what could reasonably be expected in the market today, and we have done that.
- We should not anticipate prices to go down if we don't move forward now and look instead to go out to bid at a later date. Construction costs only tend to increase.
- Revisiting the design, as Mr. Morgan has suggested, will incur additional architectural fees as well as the potential for additional construction costs.
- If we don't move forward now, we would need to start over from scratch. This would involve at a minimum applying to CPC and securing their support, obtaining town meeting approval and preparing new bid documents (another added expense BTW). These may seem easy things to accomplish on the surface, but there is significant work involved in each step with no guarantee we will secure the needed funding and, if we don't, this committee could well lose control over what is to be done.
- The timing would also be less than ideal for securing bids. The earliest we could go out would be following May town meeting, which means we wouldn't be able to go out to bid until June at the earliest. Contractors are typically already booked for the season by that point in the calendar. Fewer bids mean less competition and, typically, higher costs. We might then need to rebid dragging this project out further and incurring additional costs. We can reasonably anticipate it would be 1-2 years before we would be able to get this work done under such an approach.
- In addition, Andy is no longer employed with the town and has a new job. Although he has agreed to stay on and see this existing project through, we should not assume that he will be willing and available to take on this role for a separate later project. For that matter, there is no guarantee the town would let him serve in this capacity. If we should have to pay for an OPM, that too will increase the expense.
- Do we really want to have the rest of the project finished and leave the bandstand looking as it does for another 1-2 years? We have done our due diligence and have a fair price from our current contractor to do this work. Even if it cannot be fully completed this season, it will still be done far sooner than if we choose to go out with this as a separate project.
- Finally, let's not lose sight of the big picture here. There is currently community support for this work, people are expecting it to be done. Even with the addition of this much needed improvement, we are going to come in significantly under budget to the tune of ~\$100K. Let's get this done.